

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

112857-402

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Unknown

INTERNATIONAL APPLICATION NO.  
**PCT/JP03/07670**INTERNATIONAL FILING DATE  
**June 17, 2003**PRIORITY DATE CLAIMED  
**June 19, 2002**

TITLE OF INVENTION

**HYDROGEN OCCLUDING MATERIAL AND METHOD FOR USE THEREOF**

APPLICANT(S) FOR DO/EO/US

**Morioka et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 511579757 US**
23. ☒ Other items or information:

**Return receipt postcard;  
Form PCT/IB/301, 304 and 308.**

U.S. APPLICATION NO. (if known) <b>10/517244</b> <small>Unknown</small>		INTERNATIONAL APPLICATION NO. <b>PCT/JP03/07670</b>		ATTORNEY'S DOCKET NUMBER <b>112857-402</b>	
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24. The following fees are submitted:.

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :**

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1110.00**

☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$950.00**

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$790.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$750.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	13 - 20 =	0	x \$18.00			<b>\$0.00</b>
Independent claims	2 - 3 =	0	x \$88.00			<b>\$0.00</b>
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>						<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>						<b>\$950.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.						<b>\$0.00</b>
<b>SUBTOTAL =</b>						<b>\$950.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					+	<b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>						<b>\$950.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>						<b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>						<b>\$950.00</b>
					Amount to be:	\$
					refunded	\$
					charged	\$

**CALCULATIONS PTO USE ONLY**


  

a. ☒ A check in the amount of **\$950.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818**

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

**Thomas C. Basso**  
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SIGNATURE

**Thomas C. Basso**

NAME

**46,541**

REGISTRATION NUMBER

**December 7, 2004**

DATE

10/517244

DT09 Rec'd PCT/PTO 07 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Morioka et al.  
Appl. No.: Unknown  
Filed: December 7, 2004  
Title: HYDROGEN OCCLUDING MATERIAL AND METHOD FOR USING  
THEREOF  
Art Unit: Unknown  
Examiner: Unknown  
Docket No.: 112857-402

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10**

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (dup.);
2. Int'l App. as filed (14 pgs.) including  
Int'l Search Report;
3. English Trans. of Int'l App. as filed (22  
pgs.); including Formal Drawings;
4. Executed Dec. and POA (4 pgs.);
5. Preliminary Amendment (32 pgs.);
6. Form PCT/IB/301, 304, and 308;
7. Check in the amount of \$950.00; and
8. Return receipt postcard.
- 9.

are being deposited with the United States Postal Service with sufficient postage as  
Express Mail in an envelope addressed to:

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on December 7, 2004.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Heather Foster

Name of Person Mailing Correspondence

  
Signature

EV 511579757 US

Express Mail Mailing Label Number